

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

①PATRICIA D BACHHOFFER, an
Individual,

Plaintiff,

①G. PAUL KULA, M.D., an
Individual,

Defendant

) Case No
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COMPLAINT

Plaintiff, Patricia D. Bachhofer, for her causes of action
against defendant, G. Paul Kula, M.D., states:

PARTIES

1. Plaintiff, Patricia D. Bachhofer, is a resident of Love
County, State of Oklahoma

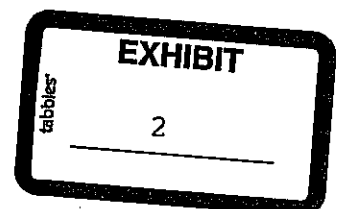
2 Defendant, G. Paul Kula, M.D (also "Dr. Kula"), was a
practicing psychiatrist in Carter County, Oklahoma, when
plaintiffs cause of action arose. Due to Dr. Kula's improper
relationship with Bachhofer, however, his medical license
suspended, and he is now a resident of the State of Texas, where
he is again practicing psychiatry

DIVERSITY JURISDICTION

3. Diversity of citizenship exists between the parties,
and Plaintiff's claim exceeds \$75,000.00, exclusive of costs and
interest, conferring diversity jurisdiction on this Court
pursuant to 28 U.S.C §1332.

FIRST ALTERNATIVE CAUSE OF ACTION-NEGLIGENCE

4 Over the course of his psychiatric practice, Dr. Kula
demonstrated a pattern of inappropriate sexual conduct toward



women, including but not limited to sexual involvement with patients

5. Knowing his propensity to seek romantic relationships with female patients, Dr Kula negligently failed to cease counseling women without a third party present.

6. Patricia Bachhofer, being unaware of Dr Kula's history, was referred by another doctor to Defendant, where she sought psychiatric treatment in the year 2000

Dr. Kula negligently met alone with Mrs. Bachhofer suggesting they engage in sexual relations as a supposed form of therapy, which they actually did.

8 Dr. Kula's improper conduct with Mrs. Bachhofer began in the summer of 2000, continuing into the early months of 2001

9. Dr. Kula negligently failed to accurately record his advice and the full scope of his dealings with Patricia Bachhofer in his medical records

10. When plaintiff requested copies of her medical records Dr Kula improperly failed to provide them.

11 Although it is unethical and negligent for a psychiatrist to become romantically involved with a patient, Dr Kula negligently breached his duties

- a) not become romantically involved with patients;
- b) not over prescribe medications;
- c provide honest and therapeutic advice; and
- d) accurately record his advice in the patients medical records.

SECOND ALTERNATIVE CAUSE OF ACTION-INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

Realleging paragraphs 3-6 above and as an alternative to her First Cause of Action, Plaintiff further states

12 As he did with other patients, Dr. Kula unconscionably and intentionally seduced Patricia Bachhofer, preying on her vulnerabilities identified through psychiatric treatment. Dr Kula actually suggested an affair with her psychiatrist would make Mrs. Bachhofer a happier person.

13 The affair continued several months, with Dr Kula repeatedly directing Plaintiff to rent and pay for motel rooms where he would then join her for sexual trysts.

14. After unscrupulously using Patricia Bachhofer for his own sexual pleasure over a period of approximately seven (7) months, Dr. Kula then cruelly told his patient he was discontinuing the affair, because, due to Plaintiff's lack of education and social status, she was not on his level

15 Dr Kula's calculated abuse of his own patient was intentional infliction of emotional distress, resulting in serious injury and damage to Plaintiff, as described below

INJURIES

16. Defendant's negligent acts, or in the alternative deliberate infliction of emotional distress, brought great pain and injury to Patricia Bachhofer, including but not limited to worsening of her psychiatric condition, depression, mental pain and suffering, loss of self esteem, loss of trust, guilt, damaged family relationships, difficulty maintaining relationships, additional medical bills, over medication and other damages

Many of the above injuries are permanent.

As a result of Dr. Kula's negligence, or in the alternative intentional infliction of emotional distress, Plaintiff suffers damages far exceeding the sum of \$75,000.00, exclusive of costs and interest

PUNITIVE DAMAGES

Dr Kula's negligence was so gross and so likely to cause injuries to Plaintiff that he should be punished for his conduct by the award of punitive damages.

20. In the alternative, if Dr. Kula is found liable for intentional infliction of emotional distress, his conduct was so despicable and evilly contrived that he should likewise be punished by the award of punitive damages

WHEREFORE, Plaintiff, Patricia D. Bachhofer, seeks judgment against Defendant, G. Paul Kula, M.D., in an amount exceeding \$75,000.00, together with punitive damages, the costs of this action, attorney fees, and such other relief as the court deems just and equitable

JURY TRIAL DEMANDED

ATTORNEYS' LIEN CLAIMED

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